

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

CHRISTOPHER WELCH,	:	
	:	
Plaintiff,	:	Case No.: 5:10-cv-43 (CAR)
	:	
v.	:	
	:	
ALEXIS E. L. CHASE, SANDRA	:	
ABRAMS, CALVIN RAMSEY,	:	
F. VALENTINE, BRIAN OWENS, and	:	
Nurse THOMAS,	:	
	:	
Defendants.	:	

***ORDER ON THE UNITED STATES MAGISTRATE JUDGE'S ORDER AND
RECOMMENDATION***

Before the Court is the United States Magistrate Judge's Recommendation [Doc. 7] to dismiss Plaintiff's claims against Defendant OWENS pursuant to the Court's review under 28 U.S.C. § 1915(e)(2). Plaintiff has filed an objection to the Recommendation [Doc. 9] contending that Defendant Owens should not be dismissed from this case because he "is the ultimate authority in this situation." Having considered Plaintiff's Objection and having investigated the matters *de novo*, this Court finds that Plaintiff's claims against Defendant Owens are premised entirely upon a theory of *respondeat superior*. Therefore, Plaintiff's objection is without merit, and the Recommendation is **HEREBY ADOPTED AND MADE THE ORDER OF THE COURT**. The claims against Defendant OWENS are hereby dismissed, and the action

will go forward against the remaining five Defendants.

SO ORDERED, this 23rd day of April, 2010.

S/ C. Ashley Royal

C. ASHLEY ROYAL

UNITED STATES DISTRICT JUDGE

SSH